

Agenda

Item #2

RECEIVED

Jed Rathband
P.O. Box 17851
Portland, Maine, 04112

MAY 15 2008

May 15, 2008

MAINE ETHICS COMMISSION

To Whom It May Concern:

I am writing to appeal the fine I received for a late March filing. First, I apologize. I take very seriously the work the Ethics Department does on behalf of the State. The importance of transparency in government cannot be underestimated. My failure to file before the required deadline is by no means a reflection of the importance I place upon these requirements and my responsibility to abide by the rules.

However, I feel I have a valid reason for this oversight and am therefore requesting an appeal of the fine. I first learned I was late via email while in the midst of a ten-day stint in New Orleans where I had been volunteering with an agency involved with the hurricane relief effort. I immediately called the Ethics Department and notified them of my situation. I asked for, and was granted, an extension and I assured them that I would file my report immediately upon my return.

The legislation for which I was hired to work on was a carryover item (LD 564) from the first half of the last session. The bill was created in the Agriculture, Conservation and Forestry committee but was being held up in the senate while waiting to be referred back to the ACF committee. I was hired in late March and asked to lobby on behalf of the bill once it got back to committee and onto the floor. I registered immediately with the ethics department but didn't actually begin working on the bill until early April, and only then on a limited basis because the bill was never referred out of the senate before the legislature adjourned for the year. Admittedly, in the midst of readying for my trip and closing out the session I lost track of when the lobbying period began for this job.

In error, I left for New Orleans forgetting I had registered in late March. My departure from Maine to New Orleans kept me out of regular contact with email and I neglected to receive the notices from the Ethics Department until it was too late. Notices, which I realize, are not required by the department but are merely a voluntary convenience by the officers when time permits, and nothing I should come to expect.

I have been a registered lobbyist since 2005, and on only one other occasion did I neglect to file for which a fine was paid. By no means is this a regular occurrence. I take very seriously my responsibility to abide by your rules. Filing is not a monthly nuisance, but rather an exercise in individual responsibility toward a clean and open legislative process. While I'm honored to do my part in protecting this process, I hope you will grant me an appeal on this occasion.

Thank you for your time,

Jed Rathband



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

April 16, 2008

Mr. Jed D. Rathband
Lobbyist
Maine Association of Agricultural Composters
P.O. Box 17851
Portland, ME 04112

Re: Monthly Lobbyist Disclosure Late Filing

Dear Mr. Rathband:

Our records show that your March monthly lobbyist disclosure report has not been filed to date. All lobbyists registered with the Commission are required to electronically file their monthly reports no later than 5:00 p.m. on the 15th of every month, or the next business day should the 15th fall on a weekend or holiday. Penalties are assessed for all reports not received by the deadline and every month thereafter that the report remains delinquent.

Pursuant to 3 M.R.S.A. § 319(1), the Commission has assessed a preliminary penalty of \$100 for the late filing of this report. Please note that failure to pay this penalty or to file your delinquent report could result in suspension from further lobbying until the failure has been corrected.

If you believe you have a valid reason for filing late, you may request that the Commission make a final penalty determination. Any request for a Commission determination must be made within 10 calendar days of receiving this notice, beginning the day you sign for receipt. Upon receipt of your request for a Commission determination, we will schedule you to appear before the Commission at the next regularly scheduled meeting. You may appear before the Commission personally, designate a representative to appear on your behalf, or submit a written statement in which you provide an explanation of the mitigating circumstances you wish the Commission to take into consideration. The Commission will notify you of the disposition of your case shortly after its determination.

Please direct any questions you may have about this matter to me at 287-6221.

Sincerely,

Jeremy J. Brown
PAC, Party & Lobbyist Registrar

Enclosure (1)

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS



Multiple Reports for Jed D Rathband

Please select a report
first...

Monthly Report - Long Form

Report Description	Report Status	Report Date		
March -- 2008	Filed	4-23-2008	Delete	Print



Instructions to:

Create new monthly report - click the Add button

****See Help Menu for Instructions****